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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case 3:23-md-03084-CRB

MDL No. 3084

Honorable Charles R. Breyer

JURY TRIAL DEMANDED

This Document Relates to:

B.L. v. Uber Technologies, Inc., et al.,
No. 24-cv-7940

**PLAINTIFF B.L.'S NOTICE OF CHANGES
TO DEPOSITIONS OF AGENT MAGGIE
LEITZ, MICHAELA BLACK, AND
LUCAS LEBARON**

Plaintiff hereby advises the Court of the following changes to the deposition schedule in the above referenced case:

Deposition of Michaela Black. Michaela Black is a SANE Nurse who performed an examination of the Plaintiff following the incident at issue. Ms. Black's deposition was scheduled to take place on June 24, 2025 at 9:00am PST. On June 23, 2025, counsel for Plaintiff was contacted by Deputy County Counsel for the County of Santa Clara, Taby Kalami. Attorney Kalami advised counsel that Ms. Black would not appear for the deposition based on privacy

1 protections under California law. On June 24, 2025, Ms. Kalami sent a letter to counsel outlining
2 and describing the privacy protections in more detail. Ms. Kalami's letter is attached hereto as
3 Exhibit 1.

4 **Deposition of Agent Maggie Leitz.** Agent Leitz was formerly employed by the Campbell
5 City Police Department and one of multiple investigators involved in the criminal investigation
6 associated with the subject incident in this case. Agent Leitz's deposition was scheduled for June
7 24, 2025 at 1:00pm PT. Agent Leitz's deposition is in the process of being rescheduled for a time
8 convenient for both parties. Agent Leitz's deposition needed to be rescheduled due to a scheduling
9 conflict.
10

11 Dated: June 24, 2025

12 /s/ Sommer D. Luther
13 **WAGSTAFF LAW FIRM**
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EXHIBIT 1

**OFFICE OF THE COUNTY COUNSEL
COUNTY OF SANTA CLARA**

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ASSISTANT COUNTY COUNSEL**

June 24, 2025

VIA EMAIL AND U.S. MAIL

Wagstaff Law Firm
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sluther@wagstafflawfirm.com

Re: *B.L. v. Uber Technologies, Inc., et al.*
Service of Subpoena for Michaela Black

Dear Sommer D. Luther:

I represent the County of Santa Clara Health System (CSCHS). I have reviewed your subpoena requesting Michaela Black to appear this coming **Tuesday, June 24, 2025, at 1:00 p.m.**, via Zoom.

CSCHS, on behalf of Michaela Black, objects to this subpoena. The received subpoena requests the entire forensic file, including photographs, medical records, and audio/visual files, as well as any documents related to a reported sexual assault. These records are created for law enforcement purposes, and may not be released in response to a civil subpoena.

The requested records are forensic records subject to many layers of privacy protection, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Confidentiality of Medical Information Act (CMIA), and the Official Information Privilege (Evid. Code § 1040), in addition to the Violence Against Women Act (VAWA) and California informational guidelines.

State law and guidance promulgated by the California Office of Emergency Services (OES) restrict production of forensic records, including medical evidentiary examination reports, to entities involved in the investigation and prosecution of a case, such as law enforcement officers and district attorneys. Neither defense counsel nor the victim-survivor themselves may obtain a copy of the forensic records, which are only to be used for the purposes of "...recording


Letter to Sommer D. Luther, CO 35053
Re: *B.L. v. Uber Technologies, Inc., et al.*
June 24, 2025
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of medical and physical evidence data disclosed by a victim of sexual assault” for criminal investigative purposes. (Pen. Code § 13823.5). In fact, state law requires medical evidentiary examination reports be segregated from the rest of the patient’s medical records, and for hospitals to take special care to ensure these reports are only released when authorized specifically by law. (Pen. Code § 13823.11, subd. (i)).

For the reasons described above, CSCHS is unable to produce any of the requested records. And, as the protections applicable to these records apply equally to a verbal description of the content within, Michaela Black will also not be appearing at the scheduled deposition. If you wish to discuss this matter, please feel free to contact me by email at taby.kalami@cco.sccgov.org or by phone at 669-291-6453.

Very truly yours,

TONY LOPRESTI
County Counsel

DocuSigned by:

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TABY KALAMI
Deputy County Counsel

PROOF OF SERVICE

B.L. v. Uber Technologies, Inc., et al
MDL No. 3084 CRB, Case No. 24-CV-7940

I, the undersigned, declare: I am a citizen of the United States, over 18 years of age and not a party to the within action. My business mailing address is 940 Lincoln Street, Denver, CO 80203.

On the date specified below, I served a copy of the foregoing document described as:

**PLAINTIFF B.L.'S NOTICE OF CHANGES TO DEPOSITIONS OF
AGENT MAGGIE LEITZ, MICHAELA BLACK, AND LUCAS LEBARON**

To be served by providing a true copy thereof addressed to each of the persons named below:

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4 *Attorneys for Defendants – UBER TECHNOLOGIES, INC., RASIER LLC, and RASIER-CA, LLC*
5

6 **[X] BY ELECTRONIC TRANSMISSION ONLY:** By emailing the document(s) to the
persons at the email address(es) listed above. No electronic message or other indication that
7 the transmission was unsuccessful was received within a reasonable time after the
transmission.

8 I declare under penalty of perjury under the laws of the State of California that the above is
9 true and correct.

10 Executed June 24, 2025 in Denver, Colorado.
11

12 /s/ Emma Guidry
13 Emma Guidry
14 Senior Paralegal
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